FUSION CHOICE FOR MAYOR LIES BETWEEN THEM,

With the Odds slightly in Favor of Stims if Elihu Root Has the Final Say, as Seems Probable—Cromwell Suggested But Will Get Little Consideration.

From all indications the fusion candiate for Mayor will be either ex-Judge harles Whitman or ex-United States District Attorney Henry L. Stimson The committee of 100 will have the name of these two men on its list, and either will be acceptable both to the Republican State and county organizations.

One who was in a position to speak authoritatively for the State committee said yesterday:

"The names which will be submitte to the conference by us and by the county organization will be Judge Whitman Mr. Stimson and Borough President Cromwell of Richmond. The reason Mr. Cromwell's name will be submitted by us is because many leaders of the county body are urging him for the nomination But there is little chance that he will get ch consideration from the conference

"The issue upon which we will fight Tammany this year will be extravagand and the shortcomings of the present adtration, and as every one knows, and the records show, Cromwell has voted with Mayor McClellan and the Tammany men in the Board of Estimate because that was the only way was able to obtain the generous appropriations he has got for his borough nce Mayor McClellan has been in office Therefore while the county organization will ask in a formal way for the considera ion of Mr. Cromwell's name that is about all that will come of it, and the result will be that the selection will lie betwee Whitman and Stimson. Both are good men and either would make a good camaign. Stimson has a fine record, and the great reputation which Judge Whitman arned when he was legal adviser to Mayor Low and when as an Assistant orporation Counsel he represented the ests of the city at Albany in 1902 and 1903 and afterward as a Magistrate and a Judge of the Court of General ssions would make him a valuable candidate. My choice will be Judge influential voice in the conference."

This spokesman of the State committee put no stock in the assertion made by Prof. Giddings of the committee of 100 that the sub-committee on candidates had taken up the consideration of the names of Seth Low, Dr. Nicholas Murray Butler and William M, Ivins. "All three have stated clearly that they would not accept a nomination, and I am rathe inclined to think that the introduction inclined to think that the introduction of their names was done rather for effect than from any real belief that they would be considered by the conference bodies," he said:

he said:
Chairman Herbert Parsons of the Republican county committee was of the same opinion. "I know," he said yesterday, "that Mr. Low could not be induced to allow himself to be considered as a candidate. As a matter of fact he told me this some time ago when suggestions were being made that he should be asked to run again. Mr. Low gave several reasons why it would be impossible for him to listen to any proposals which might lead to his selection, and I regarded these reasons as being so conarded these reasons as being so con-sive that I am sure his name will not be

of the country headquarters is that Dr. Butler and William M. Ivins are not available candidates. The leaders of the county committee expect that the candidate will be either Judge Whitman or Mr. Stimson. Some of these leaders seemed to think seither Judge whitman or Mr. Stimson.
Some of these leaders seemed to think esterday that Elihu Root would have uite a strong voice in the final selection, nd they were disposed to think that Mr. toot might lean to the side of Mr. Stimson the strong vesterday

son. It was tacitly agreed yesterday that both Mr. Parsons and Chairman Woodruff of the State committee would follow the advice of Mr. Root when the time came to make the inal choice.

Mr. Woodruff and Mr. Parsons are not worrying over the fact that while the Republican city convention is to be held a week from next Thursday the committee of 100 has not yet issued the call for the conference and in fact does not expect to issue it until the middle of the week. to issue it until the middle of the week.
It was explained yesterday that the reason
for this passive attitude is that both Mr.
Woodruff and Mr. Parsons have been
kept informed of every movement made
by the hundred's committee on candidates and that the challenen of the two
Republican organizations are working Republican organizations are working in thorough accord and harmony with

in thorough accord and harmony with
the committee.

It is because of this fact that Mr. Woodruff and Mr. Parsons are showing no
sinxiety over the delay for the reason
that the "definitive conference," as Prof.
Giddings of the committee of 100 calls it,
will be mere formality. The fusion candidate will have been decided upon before
the "definitive conference" is held and
which probably will take place on the
Tuesday or Wednesday night before the
Republican city convention on Thursday,
September 23. Some 23.

Republican city convention on Thursday, September 23.

Some Tammany politicians were saying yesterday that Charles F. Murphy, having succeeded in placing Judge Gaynor in a position where he is no longer eligible as a candidate for the fusion nomination, will drop him and will select a Tammany organization man as the candidate for Mayor. It was said yesterday at Tammany Hall that such a report was silly because Charles F. Murphy realized that if he tried to work any kind of a double cross game on Judge Gaynor he would not only run as an independent candidate but would also make a campaign against nt would also make a campaign against the Tammany ticket which would un-pubtedly lead to its defeat, particularly if the fusionists place a popular man at the head of their ticket. From what was learned further yesterday at Tammany Hall there seems to be little doubt that the nominee of the Democratic city convention will be Judge Gaynor.

10 HOUR LAW FOR WOMEN VOID Chicago Judge Knocks Out Illinois Leg-

islation on Working Hours. CHICAGO, Sept. 11 .- Judge Tuthill in the Circuit Court to-day issued a writ restraining the State Attorney and the State factory inspector from bringing any suits against W. C. Ritchie & Co., paper box manufacturers, for alleged violations of the so-called ten hour law, which prohibits women from working in factories, laundries and other similar places more then ten hours in one day.

The decision of Judge Tuthill, it is understood, will be fought in the upper courts for a final settlement of the question. The suit, while brought by the Ritchie firm, it is said affect; all other concerns similarly situated.

William Duff Haynie, general counsel for the Illinois Manufacturers Association, argued the case in behalf of the complainant, declaring that if the provisions of the law are enforced the constitutional right to enter into contracts will be denied to them. paper box manufacturers, for alleged

House Wreckers Form a Union.

The New York district council of the Brotherhood of Teamsters reported preterior of the control of the cont

THE RESERVE OF THE PARTY OF

NO PEONAGE AT M'KEES ROCKS. PUBLIC SERVICE AT THE FAIR. Federal Authorities Say They Got No Evidence Warranting Prosecu

BEDFORD, Pa., Sept. 11.—United States Attorney John H. Jordan gave out a statement at his home here to-day concerning the Federal investigation of charges of peonage at the plant of the Pressed Steel ar Company at Schoenville. He says: "The Government authorities at Washington have very thoroughly gone over the question involved in the charges made of peonage at the plant of the Pressed iteel Car Company at McKees Rock, Pa cting Attorney-General Ellis and Assistant Attorney-General Russell and Chief Finch of the Department of Justice were in conference with Agent Hoagland and nyself during the greater part of the day. "Judge Russell is the Government

authority on peonage. He has prosecuted numerous cases in different parts of the country, and particularly in the South. He made a very searching investigation of the facts in this case and was very well posted on the law governing peonage.

"After a full investigation it was his udgment as well as that of Attorney-General Ellis and Chief Finch that it would be impossible to secure a conviction in court of these cases on the charge of peonage. This view coincided with my

peonage. This view coincided with my own view.

"However, the representatives of the Department of Justice as well as myself were stisfied that there had been flagrant violation of the law in New York and Pennsylvania as well as in Illinois by the employment agencies in employing men and sylvania as well as in liminos by the employment agencies in employing men and sending them to McKees Rocks. It is my purpose to cull from the testimony the evidence bearing on this question as it applies to Philadelphia. New York and Chicago for the information and use of the prosecuting officers of those cities."

DEMANDS OF CLOAKMAKERS Strikes Ordered Against Four Firms With More to Follow.

Pending the holding of organization meetings preparatory to making general demands for recognition of the union and an advance of wages on behalf of 15,000 cloakmakers the Cloak and Skirt Makers Union reported yesterday that strikes had been ordered against the following employers for recognition of the union: Samuel Post, 22 West Twentyfirst street; Wadler Siegler, 19 West Twenty-first street; S. Polansky, 131 West Twenty-first street, and the Simonoff Skirt Company, 25 Waverley place. A strike also took place in the shop of Katz & Smink, 19 West Eighteenth street, against a foreman and for union recogagainst a foreman and for union recognition. The union reported that strikes against two other firms had also taken place but were followed by a speedy settlement, the strikers obtaining an advance of wages and a shorter workday. It was stated that the rank and file of the cloakmakers are clamoring for a general strike for the wages of two years ago. They point out that the general strike of the coat tailors several weeks ago, which involved nearly 30,000 men strike of the coat tailors several weeks ago, which involved nearly 30,000 men and women and was for the same demand, had been won. When the strike of the coat tailors took place less than half of them were in the union, but the non-union workers were the first to strike and joined the union during the strike. Unlike the coat tailors, most of whom are employed by the contractors or middlemen, the majority of the cloakmakers are employed directly by the manufacturers. The season for making cloaks for the winter trade is now in full blast and the cloakmakers say that every worker in the trade will be employed in a week or two.

RAILROAD MEN WANT MORE PAY Engineers and Firemen to Agitate Also for Shorter Hours.

WILKESBARRE, Pa., Sept. 11.-Member of a committee of the Brotherhood of Locomotive Firemen and Engineers representing the organization in eastern Pennsylvania and southeastern New York State were instructed to-day to meet in this city on September 19 to arrange for a convention of delegates early in October in this city, at which will be discussed the advisability of requesting an increase in wages and a reduction in the hours of work.

work.

The wage agreements of the railroaders interested in this meeting expire from January 1 next to April 1, and the men contend that with the return of prosperity and the indications of brisk business they are deserving of an increase.

The committee is expected to arrange for two sessions, one public, at which leading officers of the byotherhood will make addresses, and the other private.

make addresses, and the other private for the discussion of the wage and working

TO COUNT THE POPULATION. Director of the Census Says It Will Re-

quire About 65,000 Enumerators. WASHINGTON, Sept. 11 .- Director of the Census Durand announced to-day that 11,000 more enumerators than were employed during the census of 1900 will be required to count the population of the United States in the forthcoming census. In 1900 53,000 were employed, and the coming census will take approximately 65,000. A portion of this increase is accounted for by the fact that the enumerators of 1900 worked ten hours a day, while in the coming census Congress specifically provided for an eight hour day.

According to law the enumeration of population shall be taken as of April 15, 1910, and enumerators must forward their returns to supervisors within thirty days ensus Durend announced to-day that

returns to supervisors within thirty days of the start of the count, except that in any city of 5,000 inhabitants or more at the preceding census the enumeration must be completed in two weeks.

Movements of Naval Vessels

WASHINGTON, Sept. 11.-The torpedo boats Macdonough, Thornton, Tingey and Wilkes have arrived at Key West, and the cruisers Tenne see, California, Washington, South Dakota, West Virginia, Colorado, Pennsylvania and Maryland at Honolulu. Honolulu.

The converted yacht Mayflower has sailed from Beverly for Boston, the gunboat Albany from Santa Monica for San Francisco, and the torpedo boats Lawrence, Davis and Goldsborough from Santa Monica for San Pedro.

Army and Navy Orders.

Army and Navy Orders.

Washinoton, Sept. 11.—These army orders were issued to-day:

The retirement of Major William P. Stone, Coast Artillery Corps, is announced.

First Lieut. Beauford R. Camp, Ninth Cavairy, to Waiter Reed General Hospital for treatment. Capt. George L. Byroade, retired, to Blees Military Academy, Macon. Mo.

Capt. Clyde D. V. Hunt, to New Orleans, relieving Capt. Louis F. Garrard, Jr., who will proceed to the Philippines division, relieving Capt. Alexander M. Miller, Jr. Capt. Miller will proceed to the United States and await further orders. The retirement of First Lieut. John H. Baker, Two first Infantry, is announced.

The following named officers from duty at Army War College to their proper stations: Lieut. Cois. Charles St. J. Chubb, Second Infantry, and David J. Rembough, First Field Artillery, Majors Waiter K. Wright, Eighth Infantry, Herner C. Hodges, Jr., First Infantry; Alfred M. Hunter, Coast Artillery Corpe: Waldo E. Ayer, Ninth Infantry; Herbert H. Sargent, Scoond Cavairy, and James H. Frier, Tenth Infantry; Capts. Arthur Johnson, Thirteenth Infantry, Francis J. Koester, Commissary; Powell Clayton, Jr., Eleventh Cavairy; Harry H. Tebbetta, Tenth Infantry, The travel directed is necessary in the military service.

First Lieut, Wilson Wheaton, Thirteenth Cavvice.

First Lieut, Wilson Wheaton, Thirteenth Cavairy, to Fort Riley for examination for promotion,
Major Paul Shilinck, Medical Corps, from Fort
Sheridan to await retirement.

These navy orders were issued: Lieut. F. H. Sadler, from the Stringham to the Stockron.
Lieut. J. O. Richardson, from Atlantic torpedo footilla to home.
Lieut. H. R. Stark, from the Porter to command third division Atlantic torpedo footilla.
Ensign F. W. Milner, from the Worden to the Porter.
Midshipman R. M. Lammers, from the Stockton
to the Stringham.
Assistant Surgeon W. A. Robbins, from Naval
Assistant Surgeon W. A. Robbins, from M. Robbins, fr

Statistics in Local and London Ballwa

at Syracuse. The enormous value of the passen traffic on the local railroads of this city stated in a series of exhibits which the Public Service Commission will show at the State Fair opening in Syracuse tomorrow. According to these exhibits there are 34,104 miles of single track street and electric railways in the United States of which New York city has 1,538 miles, or 1.5 per cent. The number of passenger carried on these railways in the United States was 7,441,114,508, of which the lines of New York city carried 1,323,326,655, or 17.8 per cent., while the lines in New York State, outside of the city, carried 334,360,

146, or 4.5 per cent. -The total number of employees of street and electric railways in the United States in 1907 was 221,429, of which New York city had 32,717, or 14.8 per cent., while the rest of the State had 15,161, or 6.8 per cent. In the consumption of gas (coal and water) New York city consumes nearly four times as much as the rest of the State and more than one-fifth of the consumption of the entire United States. The figures for 1907 are: United States. 149,454,298,555 cubic feet, New York city 32,853,409,273 cubic feet, or 22 per cent. of the consumption of the entire country, and New York State outside of New York city, 8,518,137,078 cubic feet, or 5.7 per cent While Greater London, with a population of 7,217,939, carried 871,171,495 passengers on ite street and electric railways in 1907. New York city, with a population of 4,278,526, carried 1,328,326,655 on its street and electric lines. Greater Paris in 1906, with in 1907 was 221,429, of which New York

526, carried 1,323,326,655 on its street and electric lines. Greater Paris in 1906, with a population of 3,848,618, transported 634,113,121 passengers, and Greater Berlin, with a population of a little more than 3,000,000, carried 502,359,692 passengers. In percentages New York city transported 40 per cent., Greater London, 26 per cent., Greater Paris, 19 per cent. and Greater Berlin, 15 per cent. of the total.

The street and electric railways of New York city carried nearly 18 per cent. of the fare passengers carried by all the street and electric railways of the United States and more passengers than are carried in and more passengers than are carried in the three great cities of Chicago, Phila-delphia and Boston. They carry 50 per cent. more passengers than are carried by the steam railroads of the entire coun-

WON'T REVIEW ASSESSMENT New Jersey Justice Says Standard 6tl Co. Must Appeal to County Board.

Supreme Court Justice Swayze, sitting at Newark yesterday, decided that the review of the increase of the assessment of the Standard Oil plant at Bayonne N. J., from \$7,412,000 in 1906 to \$13,125,078 in 1909 belongs to the Hudson county Board of Taxation and declined to interfere in the matter.

By this decision the Court supported the contention of City Counsel Elmer Demarest of Bayonne that the procedure for the Standard Oil Company to take was the regular order of appeal to the county Board of Taxation, the State Board and the Supreme Court.

Justice Swayze declared that he would not discharge the order for certiorari proceedings granted the corporation last week by Justice Bergen, but would vacate the stay given at the same time which prevented the Hudson county Board of Taxation from passing on the assessment. The Court held that to have continued

The Court held that to have continued the stay would tie up all taxation in every municipality in the county.

In his argument for the continuance of the motion granted him last week Col. Charles W. Fuller of the Standard Oil Company declared that the company had made up its mind not to submit to any ruling but that of the Supreme Court if the assessment against it stood.

five years. This will be the biggest bond issue that the club has made since it was

America. The secretary reports a membership of 650.

The money will be used to pay off present indebtedness, to make improvements on the clubhouses and grounds and to construct a mile automobile speedway around the golf course.

BUSINESS TROUBLES.

Bankruptcy Petitions Filed Against Two Dealers in Diamonds. A petition in bankruptcy has been filed

against Israel Goldfarb, dealer in diamonds and other precious stones at 51 Maiden lane. It was alleged that he is insolvent, on May 25 creditor, to prefer him, and since then has transferred merchandise and cash to various creditors whose names are not known. Kessler, dealer in jewelry and diamonds at 215 Forsyth street. It was alleged that he is insolvent and transferred cash and merchandise to creditors to prefer them Levinson & Friedlander, who filed both pe titions, hold notes for part of their claim, made by I. Goldfarb and indorsed by Mr. Kessler, which notes went to protest. petition in bankruptcy was filed against a David Kessler in the jewelry business on December 16, 1907, and he got a discharge on July 29, 1908.

A petition has been filed against the Oving-ton Motor Company, dealer in motorcycles

and supplies at 2234 Broadway. It is alleged that the company is insolvent and on Sep-tember? admitted in writing inability to pay its debts. The Sheriff received an attachment against the company on Sep-tember.

attachment against the company on Sep-tember.1.
A petition has been filed a gainst E. Willard Jones, hatter, of 49 Nassau street. It is alleged that he is insolvent, made preferen-tial payments in August of \$500 by paying merchandise bills and on September 1 re-moved \$500 worth of stock or the proceeds thereof. The Sheriff received an attach-ment against him on Friday for \$1,125 for rent. moved \$500 worth of stock or the proceeds thereof. The Sheriff received an attachment against him on Friday for \$1,125 for rent.

Hew Miller, residing at 28 West Twenty-sixth street, has filed a petition in bankruptcy as a poor person unable to pay the fees, as he has been ill for the last year, unable to do manual labor and now working for his board and room. His liabilities are \$14,749 and no assets. Among the creditors are the estate of Hew Miller, \$12,066, on a judgment obtained October 2, 1906, on notes made in 1900, Alexander MacDonald, trustee, \$2,262; Stewards Association of New York, \$44 dues: American Society of Civil Engineers, \$75 dues, and Civil Engineers, \$57 dues, and Civil Engineers, \$50 dues, and the stitle to the property was in the name of Hew Miller from 1899 to 1905.

Judge Hand has appointed Frederick Hildebrandt receiver in bankruptcy for Wexler & Posner, formerly real estate operators in 1905 at 7 East 113th street, who filed a petition in bankruptcy on September 8 with liabilities \$110,503 and no assets, on application of Louis A. Goldstein, a creditor for \$903. Mr. Goldstein learned that Wexler has a grocery store at 185 St. Nicholas avenue, which is run by I. Wexler & Co., a corporation, and that Posner has a liquor saloon at 92 Catharine street under the name of H. Posner & Co., a corporation. Mr. Goldstein alleges that Wexler's corporation in a sham and device to cheat him as a creditor, and that the goods in the store really belong to Wexler. Judge Hand ordered the restraining I. Wexler & Co. and H. Posner & Co., corporations, from selling any of the goods in the above places.

Schedules in bankruptcy of the National Steel Plate Engraving Company, some stock in the Toronto Steel Plate Engraving Company some stock in the Toronto Steel Plat

PRESIDENT TO DECIDE BEFORE HE STARTS FOR THE WEST. the Real Point at Issue Between th Secretary and Chief Forester Pinehot

Is as to the Manner the Policy of Conservation Should Be Administered.

WASHINGTON, Sept. 11 .- According to a statement made in a well informed quarter to-day an important announcer bearing on the controversy between Richard A. Ballinger, Secretary of the Interior, and Gifford Pinchot, Chief Forester of the Government, will be made at Beverly before President Taft starts on his Western trip next week. The prevailing opinion in Washington is that Secretary Ballinger will be sustained in every par-ticular. Mr. Ballinger left Washington ast night for a conference with Attorney General Wickersham, and his departu ends renewed significance to the action of President Taft in submitting to the legal department for further examination the Glavis charges and the replies made to them by officers of the Interior Department. The whole case is now before the Attorney-General, and friends of Secretary Sallinger say it will be decided in hi

The real point at issue between the interior Department and the forest service is as to the manner in which the ered. The Cunningham claims, cover ing coal lands in Alaska, is merely one hase of the controversy, although it has een given great prominence owing to the fact that Mr. Ballinger acted as coun sel for the claimants in the time inter vening between the date of his resigna tion as Commissioner of the General Land Office and his acceptance of the place at he head of the Interior Department. Soon after Mr. Ballinger became Secre tary of the Interior it is alleged the machinery was put in motion with a view of hurrying the Cunningham claims to patent. It was further charged that proper precautions were not taken to safeguard the interests of the Government. The Cunningham claims came in conflict with the policy of conservation as it is construed by the forest service because of the fact that a part of the land embraced in the claims was converted into a forest reservation in Alaska.

As far as the main question is concerned it is alleged that Mr. Ballinger is a reactionary on the subject of conservation and decidedly hostile to the so-called Roosevelt policy. Friends of the Secretary of the Interior contend that President Taft and Mr. Ballinger are as strong in their support of the Government's policy of conservation as any officials patent. It was further charged that policy of conservation as any officials can be, but they declare that according to the admissions of Pinchot and others forest reserves have been extended and water power sites and coal lands withdrawn from entry without due regard to the law.

to the law.

The statement is made that it is the purpose of the President in his message to Congress next winter to recommend to Congress next winter to recommend the enactment of a law giving executive authority to withdraw, in his discretion, such lands as he believes should be conserved for the benefit of the whole people. This authority, it is contended, is not now expressly given him, although large tracts were withdrawn in the former Administration in the absence of law on the subject.

municipality in the country.

In his argument for the continuance of the motion granted him last week Col. Charles W. Fuller of the Standard Oil Company declared that the company had made up its mind not to submit to any ruling but that of the Supreme Court if the assessment against it stood.

MEXICO COUNTRY CLUB BONDS.

MEXICO COUNTRY

States' as employed in section 190 of the Revised Statutes means a money demand against the United States and does not organized. The Mexico Country Club against the United States and does not apply to the prosecution before the land Department of claims involving the right and title to public lands."

and title to public lands."

A like decision was made by Hoke Smith, Secretary of the Interior under Cleveland's Administration. Opposed to these two opinions was one rendered by Secretary Lamar, which held in substance that the statute applied to claims of whatever nature prosecuted before the Department.

ever nature prosecuted before the Department.
Secretary Lamar later became an Associate Justice of the Supreme bench. His decision was very strong on the chics of the proposition and he denounced in vigorous terms the suggestion that a former official should be permitted at once to practise before the Department in which he had formerly served.
According to a report here all the papers relating to the controversy between Secretary Ballinger and Gifford Pinchot will be placed before Mr. Taft next week. It is regarded as significant that Mr. Ballinger has recently announced that his plan formulated many weeks ago to accompany the President on a part of his Western trip will be carried out.

ALASKA CENTRAL TO BE SOLD. Unfinished Railroad From Seward to the

North to Go Under the Hammer. OTTAWA, Ont., Sept. 11.-The Alaska Kronprinzessin Cecilie, Bre OTTAWA, Ont., Sept. 11. Some extent men. Hamilton, Pernambuco. Hamilton, Pernambuco. Rotterdam. Rotterdam. was responsible for the failure of the Sovereign Bank of Canada, will fall under the hammer of the auctioneer, one of the United States marshals, at Valdes, Alaska, on October 9. When the railroad was started it was a pretentious affair. It was the intention to have it extend from Seward to Tanana River, about 460 miles. About fifty miles north from Seward was put in operation in 1907 and there was about sixty miles under construction, while contracts were let for 185 additional miles. Then the crash came.

under construction, while contracts were let for 185 additional miles. Then the crash came.

In May of last year a receiver was appointed for the company at the instance of the bondholders, following a default in interest. The par value of the stock was \$20, of which there was \$30,000,000 authorized, \$27,500,000 preferred and \$2,500,000 common stock. The amount issued was \$5,960,000, of which \$4,000,000 was common stock. A large part of the bond issue was taken up in Canada by various banks and financial institutions, the rest being subscribed in the States. The Sovereign Bank was among the heaviest holders of the bonds.

A Toronto despatch says the bonds were floated by the president, A. C. Frost of Chicago, and by Osborne & Francis of Toronto. Henry C. Osborne was vice-president and Gwyn L. Francis treasurer. There may not be a bidder at all, or it may go for a song. The Guggenheims of New York are at present building a rallway to tap the silver mines, but it is stated that the two lines are too far apart for an amalgamation to take place.

Presenties in the Consular Service.

Promotions in the Consular Service. WASHINGTON, Sept. 11.-The State De-

David F. Wilber of New York, from Consul-General at Halifax to Consul at Kobe, Japan. Mr. Wilber has been in the consular service since 1908 and served at Barbados and Singapore prior to his appointment to Halifax.

James W. Ragedale of California, from Consul at St. Petersburg to Consul-General at Halifax. Mr. Ragedale entered the consular service as Consul at Tientsin, China, in 1897, and was transferred to St. Petersburg in 1908.

Jacob E. Conner of Iowa, from Consul at Salagon, Cochin China, to which place he was appointed in 1907, to Consul at St. Petersburg.

Saline.

Garrio.

Georgetown.

Norfolk.

Sept. 7

Jamestown.

New York, was 710 miles east of Sandy Hook at 1:20 A. M.

Sa Ryndam, for New York, was 725 miles east of Sandy Hook at 8:20 A. M.

Sa Ryndam, for New York, was 725 miles east of Sandy Hook at 8:30 A. M.

Sa Minneapolis, for New York, was 725 miles east of Sandy Hook at 8:30 A. M.

Sa Minneapolis, for New York, was 725 miles east of Sandy Hook at 1:30 A. M.

Sa Vaderland, for New York, was 727 miles east of Sandy Hook at 1 A. M.

Sa Vaderland, for New York, was 725 miles east of Sandy Hook at 1 A. M.

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Sa Sandy Hook at 1 A. M.

Sa Sandy Hook at 1 A. M.

Sa Minneapolis, for New York, was 725 miles east of Sandy Hook at 1 A. M.

Sa Vaderland, for New York, was 725 miles east of Sandy Hook at 1 A. M.

Sa Caledosia, for New York, was 313 miles east of Sandy Hook at 1 A. M.

GOSSIP OF WALL STREET. The b okerage houses in their week end market letters continue to take an attitude of distrust toward the market. "The market

is extremely dangerous," says a bear, while even one of the rather pronounced bulls considers profit taking apparently advisable. Nevertheless the opinion is being expressed more and more widely that very shortly the market will steady itself and within a few days Wall Street will begin again to devote its attention to underlying conditions," which, as another house finds show a stability that cannot be over

The bond market has shown much gen eral dulness for some months past and bankers do not expect to see it pick up

from Lewis on the guarantee that it would be placed on the curb within

would be placed on the curb within a year. He said that the stock had never been placed on the curb.

"Is that all?" asked Magistrate Krotel.

"That's all," said Mr. Hodge.

"Well, you've come into the wrong court. Your remedy is by civil action. I will discharge Mr. Lewis for the reason that it is not shown that a crime has been committed."

MARINE INTELLIGENCE. MINIATURE ALMANAC THIS DAY. HIGH WATER THIS DAY. Arrived-SATURDAY, September 11.

Ss La Savole, Havre, Sept. 4.
Ss New York, Southampton, Sept. 4.
Ss Saledonia, Glasgow, Sept. 4.
Ss Sarane, London, Aug. 29.
Ss Idaho, Hull, Aug. 29. St Clan Murray, Aiglers, Aug. 5.
Ss Clan Murray, Aiglers, Aug. 5.
Ss Buenos Aires, Havana, Sept. 7.
Ss Glenmay, Nipe, Sept. 5.
Ss El Valle, Galveston, Sept. 5.
Ss El Monte, Galveston, Sept. 5.
Ss Northwestern, Port Arthur, Tex., Aug. 30.
Ss Apache, Jacksonville, Sept. 5.
Ss Monroe, Norfolk, Sept. 10.
Ss Manna Hata, Baltimore, Sept. 9.

ork. Ss Grosser Kurfuerst, at Bremen from New York York. Ss Cedric, at Queenstown from New York.

SAILED PROM PORMION PORTS. Ss Nieuw Amsterdam, for New York from Rolerdam.

Sail Tuesday, September 14 Rotterdam, Rotterdam Buenos Aires, Cadiz... City of Macon, Sayannah... Apache, Jacksonvale... Jefferson, Norfolk... Sall Wednesday
Adriatic, Southampton.
Mauretania, Liverpool.
Allianca, Cristobal.
Pennsylvania, Hamburg,
Laura, Naplea.
Bayamo, Clenfuegos.
Huron, Jacksonville
Brazos, Galveston.
Lampasas, Tampa.
Jamestown, Norfolk.

partment to-day announced the following promotions in the consular service: David F. Wilber of New York, from Con-

THE COTTON MARKET. lightly Lower After a Small Advan-Rad in the Southwest-Pressure on March.

Brute force put down the pride; that an some hedge selling by the South. At any rate this was the view of more than one cool headed observer. Liverpool was 10 American points higher, with spot sales of 16,000 bales. The daily sales there during the week have averaged 12,000 to 15,000 bales. European spinners are evidently disposed to buy. Providence and other show a stability that cannot be oversetimated."

The bond market has shown much general dulness for a more months past and
bankers do not expect to see it pick up
until the drain of currency to the West
customary at this season, is at an end.
Nevertheless this general dulness does and
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Nevertheless this general dulness does and
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Nevertheless this general dulness does not
railroad obligation combines a satisfactory
interest yield with a high degree of safety,
and it is accordingly very acceptable to
other the same time that the end of the same time that the equities will increase as the
quipment companies raise their prices.

The tape clicked off this at it o'clock:
S. Fish, Jr., sold io U. 190%. No name.

Western Maryland 'when issued' was
dealt in on the curb yesterday at 43%, at the same time that the old issue was selling
at 5 on the exchange floor. When curt
trading first began in the stock the quotetier days the opportunity for arbitrage has
grown rather broadly.

Some of the heaviest losses of the day
were suntained by the copper stocks, following the publication on Friday of the
Copper Producers Association's report,
which showed an increase of some 12,000 pounds in domestic stocks. Amalgamated
feel off 35%, Smelters 25% and Anasondal 35.

The narrow range of the market was illustrated by the copper stocks, following the publication on Friday of the
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The narrow range of the market was illustrated by the corporative tone of Wall
Street was the work of the corporative tone of Wall
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Street was the work of the corporative tone of Wall
Street was t New England points were buying, or trying to buy, futures here. Wall Street bought early in the day, but later on it sold to some

American crop. Visible supply, erican, Sept. 1. season... Takings world's.
Takings for week,
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Takings for season, world's... Takings for season, American... Takings by American

Cotton on the spot here declined 10 points; middling, 12-85c.
Futures opened 3 to 7 points up, went-to a net advance of 7 to 10 points, and then receded, closing barely steady at a net loss of 3 to 9 points after estimated sales of 50,000 bales. Prices were as follows:

Open-High-Lou- Clos-ing est. est. ing. 12 39 12 40 12 29 12 29-12 30 12 42 12 46 12 29 12 29-12 30 12 30 12 40 12 25 12 25-12 30 12 40 12 25 12 25-12 47 12 48 12 32 12 32-12 33 12 50 12 55 12 40 12 40-12 41 In Liverpool spot cotton advanced 5 points; middling, 6.88d. Sales, 16,000 bales; imports, none. Futures opened steady 23/2 points; middle points; more, Futures to 4 points higher.
Closing prices were:

September-October...... October-November..... December-January..... March-April.... Legal Fight Over Sing Sing Prison Contract.

ALBANY, Sept. 11.—Supreme Court Justice Fitts took the papers to-day Justice Fitts took the papers to-day after argument on a motion by the attorney for Warren & Wetmore, New York city architects, for an injunction preventing work on the new Sing Sing State prison pending litigation. William J. Beardsley of Poughkeepsie was awarded the architects' competition prize and later the contract to build the prison, and the New York architects allege collusion and seek to have the contract set aside.

BOND SALESMAN.

A well posted, capable man of 31 who has had an exceptional business training and who has been most successful as a salesman, wishes to learn the bond business and connect with an established conservative A4 hours I I negative. A well posted, capable man tive A1 house. Unquestion-

idle manufacturing plants in all sections, which, if you could use, would save you at least 50%; you will do well by calling on me before making any definite plans; any large Eastern manufactiring concern desirous of locating branch factory in the West of Mississippi valley can do no better than see me, as I have the entire situation in hand, being thoroughly familiar with that entire section and working in connection with the cities of that section of the country; write me. T. N. SIMMONS, Factory Broker, 12 East 42d st., New York. idle manufacturing plants in all sections, which

HEINZE INDICTMENTS KILLED

F. AUGUSTUS AND ASSOCIATES CLEARED BY JUDGE HOUGH

piracy Charges in United Copper Case Insufficient and Only One Out of Sixteen Mercantile Bank Allega-tions Remain—He May Escape That. F. Augustus Heinze and his satellites

in the United Copper Company gained a substantial victory yesterday when Judge Hough in the United States Circuit Court sustained the demurrer interposed to the indictment found in May by the Federal Grand Jury charging Heinze, Sanford Robinson, Carlos Warfield, Calvin O. Geer and Arthur P. Heinze with conspir-ing to obstruct the administration of justice. The charge was based on the muti-lation and removal of the account books of the copper company while under the

subposna of the Federal courts. In taking this action Judge Hough declares that it is plain law that state showing overt acts cannot be resorted to to aid or supplement defective averments in the indictment proper. In laying saids overt acts therefore Judge Hough adds that overt acts therefore Judge Hough adds

overt acts therefore Judge Hough adds that the statement of conspiracy under section 5440 (the general conspiracy section of the revised Federal statute) to commit an offence under section 5599 (the obstruction to justice section) is insufficient under previous decisions because secretion is not charged.

An additional victory was gained by Heinze when at the same time Judge Hough threw out fifteen of the sixteen counts in the supplementary indictment charging the copper man with misapplication of the funds of the Mercantile National Bank while he was president of that institution in 1907. According to Heinze's lawyers, this leaves the supplementary indictment identical to the original indictment found by the Grand Jury in January, 1903, during Henry L. Stimson's incumbency of the United States Attorney's office and which was eventually pigeonholed. It is not regarded as likely that the present indictment with eventually pigeonholed. It is not regarded as likely that the present indictment with the fifteen counts eliminated will ge to trial, but United States Attorney. Wise intimated yesterday that a new indict-ment might be found and that, at any rate the Government's fight would go on the Government's fight would go on.
In his memorandum Judge House clearly states the defects in the first fitteen counts which he has thrown out.

This indictment seems to me to charge in counts one to fifteen this and no more viz.: that with intent to defraud the bank for the benefit of himself and others un discount single name commercial paper and the bank lost the amount paid on the discount. The sixteenth count varies from the others only in stating that the person responsible on the discounted note was insolvent to the knowledge of the defendan at the time of the discount.

sket from %c. to ic. per anding the fact that the time of the discount.

The sixteenth count, however, the court holds, sufficiently charges that the time of the discount.

The sixteenth count, however, the court holds, sufficiently charges that the discount was originally procured by fraudulent means and also that it amounts to a conversion, an element which the South is regarded too twill be found that they their cotton this year and lies commensurate with of the crop and the imconditions. They addide Chronicle figures for the 1909-10. 1905-09. 1907-08.

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is in part as follows:

The decision of Judge Hough just handed against F. Augustus Heinze except one based on the transaction of a loan made to him by the Mercantile National Bank on October 14, 1907. Mr. Heinze is charge-with having been the recipient of a loan of \$460,000 which, in the language of the secured, and in fact not secured at all.

The facts which at all times were available. The facts which at all times were available to the District Attorney disclose that the loan, the only loan made to Mr. Heinze by the bank, was secured at the time it was made by stocks not only of his companies but also bank stocks and Stock Exchange securities of the market value of upward of \$2,000,000. * * Therefore it will be seen that this loan is above criticism on many ground, and there is no fact connected with it which reflects anything but oredit on Mr. Heinze. Undoubtedly if the facts had been alleged in the sixteenth count of the indictment that count would also have been indictment that count would also have been summarily dismissed by the Court.

Mr. Heinze is eager for a trial on this charge, since it will give him an opportunity to lay before the Court the facts as above stated. District Attorney Wise declined to make any comment for publication. He was closeted yesterday afternoon with his assistant, Mr. Smith, and with Oliver C. Pagan, the Government's indictment expert. In view of Mr. Wise's intimation that the Government did not intend to give up the fight against Heinze it is thought his conference with Mr. Pagen foreshadows a third indictment.

DIVIDENDS AND INTEREST. AMERICAN LOCOMOTIVE COMPANY. AMERICAN LOCOMOTIVE. COMPANY.
30 Church Street, New York, August 25, 1929,
The Board of Directors this day declared a quarterly dividend of one and three quarters pen cents
upon the preferred capital stock, payable October
21, 1909, to the preferred stockholders of record
at the close of business on September 21, 1908.
Check will be mailed.
For the purpose of this dividend, and of the
annual election to be held on October 19, 1909,
the transfer books of the company will close 65 3
P. M., September 21, 1909, and reopen October 32,
1909.
S. T. CALLAWAY, Secretary.

able references as to ability and character will be furnished.

Address F., box 106 New York Sun.

SEALED BIDS will be received by the Board of Water Supply. In Room 810, 206 Broadway. New York, until 11 a. M., on September 25, 1925. New York, until 12 a. M., on September 25, 1925.

JOHN A. BENSEL, President CHARLES N. CHARWICK. CHARLES A. SHAW, Commissioners of the Board of Water Supply.

J. WALDO SMITH, Chief Engineer;
THOMAS HASSETT, Secretary.

SEALED BIDS will be received by the Board of Water Supply, in Room 910, mnili 11 A. M. September 12, 1809, for CONTRACT 39, for turnishing and installing two 12,500,000 gailon steam turbo-turbine pumps, two 225 horse-power water-tube boilers and all accessories at Jerome swense pumping station. Borough of The Bronz. New York City.

At the above place and time bitts will be publicly opened and read, Famphiets containing information can be obtained at Room 1310 by depositing 35 for each pamphies.

JOHN A. BENSEL, President CHARLES N. CHADWICK.

CHARLES N. CHADWICK.

Commissioners of the Board of Water Supply, J. WALDO SMITH, Chief Engiance.